

4-1 SUMMARY OF UTAH COMMERCIAL HAZARDOUS WASTE FACILITIES FINANCIAL ASSURANCE THROUGH DIVISION OF SOLID AND HAZARDOUS WASTE

Owners and operators of hazardous waste treatment/storage/disposal facilities in Utah are required to meet the demands for financial responsibility in UAC R315-8-7 and R315-8-8 (the “Rules”) for closure, post-closure care, and third-party liability insurance, as applicable.

Clean Harbors, Inc., is the owner/operator for three facilities in Tooele County, Utah covered by the financial responsibility Rules. The facilities include the Aragonite hazardous waste incinerator, the Clive hazardous waste storage facility and the Grassy Mountain hazardous waste landfill. Clean Harbors uses commercial insurance for closure, post-closure care, and liability insurance.

The Aragonite incineration facility has \$9,135,415.00 worth of closure coverage insurance and \$5M/\$10M in liability coverage for sudden or non-sudden pollution liability insurance. They are not required to have post closure care financial assurance because they intend to “clean close”, which means that there will be no hazardous waste left on the site when they close.

The Clive hazardous waste storage facility has \$2,617,256.00 worth of closure coverage insurance and \$5M/\$10M in liability coverage for sudden or non-sudden pollution liability insurance. This storage facility also would be “clean closed” and would not require post closure financial assurance.

The third facility, Grassy Mountain hazardous waste landfill, has closure insurance coverage of \$12,438,327.00, post-closure care insurance coverage of \$9,058,205.00, and \$5M/\$10M in liability coverage for sudden or non-sudden pollution liability insurance.

The language in the insurance financial assurance mechanism for these facilities provides for the Executive Secretary of the Utah Solid and Hazardous Waste Control Board to have access to the coverage when the proper procedures associated with the Rules, the permit and the mechanism are used.

Envirocare of Utah is the owner/operator of a low level radioactive waste/mixed waste facility in Tooele County, Utah. The mixed waste portion of their business (hazardous waste that is also radioactive) is covered by the hazardous waste financial responsibility Rules. Envirocare uses an irrevocable standby letter of credit with a standby trust to provide financial assurance for closure at \$9,005,751.00 and post-closure care at \$2,549,883.00. The liability insurance is commercial insurance with coverage of \$10M/\$20M liability for sudden or non-sudden pollution liability insurance. The language in the financial assurance mechanism for the letter of credit with standby trust and the liability insurance provides for the Executive Secretary of the Solid and

Hazardous Waste Control Board to have access to the funds when the proper procedures associated with the Rules, the permit and the mechanism are used.

ECDC Environmental LC is the owner and operator of the East Carbon Development Corporation (ECDC) landfill in Carbon County, Utah. The facility accepts and disposes of non-hazardous solid waste from municipal and industrial sources. As with all non-hazardous waste disposal facilities in Utah, closure and post-closure care of the landfill is assured through financial assurance. ECDC maintains a surety bond in the amount of \$6,925,669.00 for closure and post-closure care. ECDC has also established a standby trust that provides the Executive Secretary of the Solid and Hazardous Waste Control Board access to the funds should conditions for use of the bond be required.